

## Article - Health - General

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§15–103.8.

(a) Notwithstanding any other provision of law, the Department may not limit or restrict a Program recipient's admission for inpatient care at a special psychiatric hospital or an acute general care hospital with separately identified inpatient psychiatric service unless the Department:

(1) Bases the limit or restriction on the medical necessity of the admission; and

(2) Establishes the limit or restriction through regulation.

(b) On or before July 1 each year, beginning in 2024, the Department shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, on, for the immediately preceding fiscal year:

(1) The average length of stay for Program recipients for Serious Mental Illness Institute of Mental Disease services and for Substance Use Disorder Institute of Mental Disease services as reported to the Centers for Medicare and Medicaid Services;

(2) Any corrective action plans and any limits on days of stay required by the Centers for Medicare and Medicaid Services;

(3) Any federal funding withheld and any additional State funding required due to subsection (a) of this section;

(4) Data on the effect of subsection (a) of this section on the length of emergency department stays among Program recipients; and

(5) Data on whether Program recipients receiving Institute of Mental Disease services were transferred to another facility and the type of facility to which they were transferred.

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